

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: STEVEN I. LOCKE
U.S. MAGISTRATE JUDGE

DATE: 5/14/24
TIME: 11:30 am

CASE: CV 20-4026 (NCM) Hernandez et al v. Rosso Uptown Ltd et al

TYPE OF CONFERENCE: STATUS FTR: 11:28-11:44

APPEARANCES:

For Plaintiff: Steven Moser

For Defendant: Michael Tizzano (pro se)

THE FOLLOWING RULINGS WERE MADE:

- ☒ Other: Status conference held. The May 30th, 2024 Pretrial conference has been adjourned. Defendants motion to dismiss, DE [64], is really a motion to add evidence to the record is granted without objection. Defendants' motions to dismiss, DE [73], [74], [75], are motions to dismiss as a sanction for Plaintiffs' counsel's repeated failure to meet deadlines set by this Court, the most recent of which is Plaintiff's counsel's failure to serve a proposed pretrial order containing Plaintiffs' information for Defendants to complete, and now the Court learns that Plaintiffs' proposed pretrial order was incomplete. The motions for sanctions are denied at this point. That being said, Defendants, who are pro se, are understandably frustrated. Plaintiffs' counsel is now admonished that he will be sanctioned every time he fails to comply with a deadline set by this Court. To date, counsel has missed numerous conferences and deadlines with no excuse. The Court declines to scour the docket for a complete recitation here. Instead, Plaintiffs will serve A COMPLETED pretrial order on Defendants on May 29, 2024. A failure to meet this deadline WILL RESULT IN SANCTIONS, and may include dismissal of the case. Defendants will complete their portion of the pretrial order no later than July 1, 2024 and send it back to Plaintiffs' counsel, who will file the final complete pretrial order July 8, 2024. A final pretrial conference will be held on July 15, 2024 at 12:00pm.

COURT APPEARANCES:

The following conference(s) will be held in courtroom 820 of the Central Islip courthouse:

7/15/24 at 12:00 pm : Pretrial conference. A joint proposed pretrial order must be electronically filed 3 days prior to this conference.

SO ORDERED

/s/Steven I. Locke
STEVEN I. LOCKE
United States Magistrate Judge